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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/577,833

05/01/2006

Herbert Peusens

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6220

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EXAMINER

HANNON, CHRISTIAN A

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

06/16/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/577,833	Applicant(s) PEUSENS ET AL.	
	Examiner CHRISTIAN A. HANNON	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/26/2010</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the demodulated output signal" in the seventh line of the claim. There is insufficient antecedent basis for this limitation in the claim. In line five of the claim "an output signal" was introduced, and the Examiner has interpretation these "signals" as one in the same, for examination on the merits.

Claim 1 recites the limitation "the operating point" in the seventh line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "**the** intermodulation immunity and/or **the** noise" (emphasis added), in the ninth line of the claim. There is insufficient antecedent basis for this limitation in the claim. The Examiner notes that as "an" intermodulation immunity and/or "a" noise was never introduced these terms lack antecedent basis.

Claim 1 recites the limitation "**the** gain" (emphasis added) in the tenth line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "**the** overall gain" (emphasis added) in the fifteenth line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claims 2-5 and 11 are rejected as they import the deficiencies of claim 1 via dependency.

Claim 6 recites the limitation "the demodulated output signal" in the seventh line of the claim. There is insufficient antecedent basis for this limitation in the claim. In line five of the claim "an output signal" was introduced, and the Examiner has interpretation these "signals" as one in the same, for examination on the merits.

Claim 6 recites the limitation "the signal quality" in the seventh line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the operating point" in the eighth line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "**the** intermodulation immunity and/or **the** noise" (emphasis added), in the ninth line of the claim. There is insufficient antecedent basis for this limitation in the claim. The Examiner notes that as "an" intermodulation immunity and/or "a" noise was never introduced these terms lack antecedent basis.

Claim 6 recites the limitation "**the** gain" (emphasis added) in the eleventh line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "**the** overall gain" (emphasis added) in the seventeenth line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claims 7-9 and 12 are rejected as they import the deficiencies of claim 1 via dependency.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTIAN A. HANNON whose telephone number is (571)272-7385. The examiner can normally be reached on Mon. - Fri. 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christian A Hannon/
Examiner, Art Unit 2618
June 10, 2010